Doc. #5203
ADOPTED 6/29/89

RESOLUTION OF THE BOSTON REDEVELOPMENT AUTHORITY
RE: TENTATIVE DESIGNATION OF REDEVELOPER
REUSE PARCELS RE-2B, RD-13, RR-8, 30, 20, 23A, SE-49, SE-7, SE-122, RD-36, SE-123, SE-2, 33B AND SE-124
SOUTH END URBAN RENEWAL AREA, PROJECT NO. MASS. R-56

WHEREAS, the Boston Redevelopment Authority, (hereinafter referred to as the "Authority"), has entered into a contract for loan and capital grant with the Federal Government under Title 1 of the Housing Act of 1949, as amended, which contract provides for financial assistance in the hereinafter identified Project; and

WHEREAS, the Urban Renewal Plan for the South End Urban Renewal Area Project No. MASS. R-56 (hereinafter referred to as the "Project Area"), has been duly reviewed and approved in full compliance with local, State and Federal law; and

WHEREAS, the Authority is cognizant of the conditions that are imposed in the undertaking and carrying out of urban renewal projects with Federal financial assistance under said Title 1, including those prohibiting discrimination because of race, color, sex, religion or national origin; and

WHEREAS, the Trust for Public Land expressed an interest in and has submitted a satisfactory proposal for the development of Reuse Parcels RE-2B, RD-13, RR-8, 30, 20, 23A, SE-49, SE-7, SE-122, RD-36, SE-123, SE-2, 33B and SE-124 in the South End Urban Renewal Area; and

WHEREAS, the Authority is cognizant of Chapter 30, Sections 61 through 62H of the Massachusetts General Laws, as amended, with respect to minimizing and preventing damage to the environment:

NOW, THEREFORE, BE IT RESOLVED BY THE BOSTON REDEVELOPMENT AUTHORITY:

1. That the Trust for Public Land be and hereby is tentatively designated as Redeveloper of Reuse Parcels RE-2B, RD-13, RR-8, 30, 20, 23A, SE-49, SE-7, SE-122, RD-36, SE-123, SE-2, 33B and SE-124 in the South End Urban Renewal Area subject to:

(a) Concurrence in the proposed disposal transaction by the Department of Housing and Urban Development;

(b) Publication of all public disclosure and issuance of all approvals required by the Massachusetts General Laws and Title 1 of the Housing Acts of 1949, as amended.

(c) Submission within eighteen (18) months in a form satisfactory to the Authority of:

(i) Evidence of the availability of necessary equity funds, as needed; and

(ii) Evidence of firm financial commitments from banks or other lending institutions; and

(iii) Final working drawings and specifications; and

(iv) Evidence of a financing mechanism for the maintenance of the Reuse parcels in perpetuity as open space (or for the duration of the plan); and

(v) A proposed schedule for improvements for the reuse parcels.

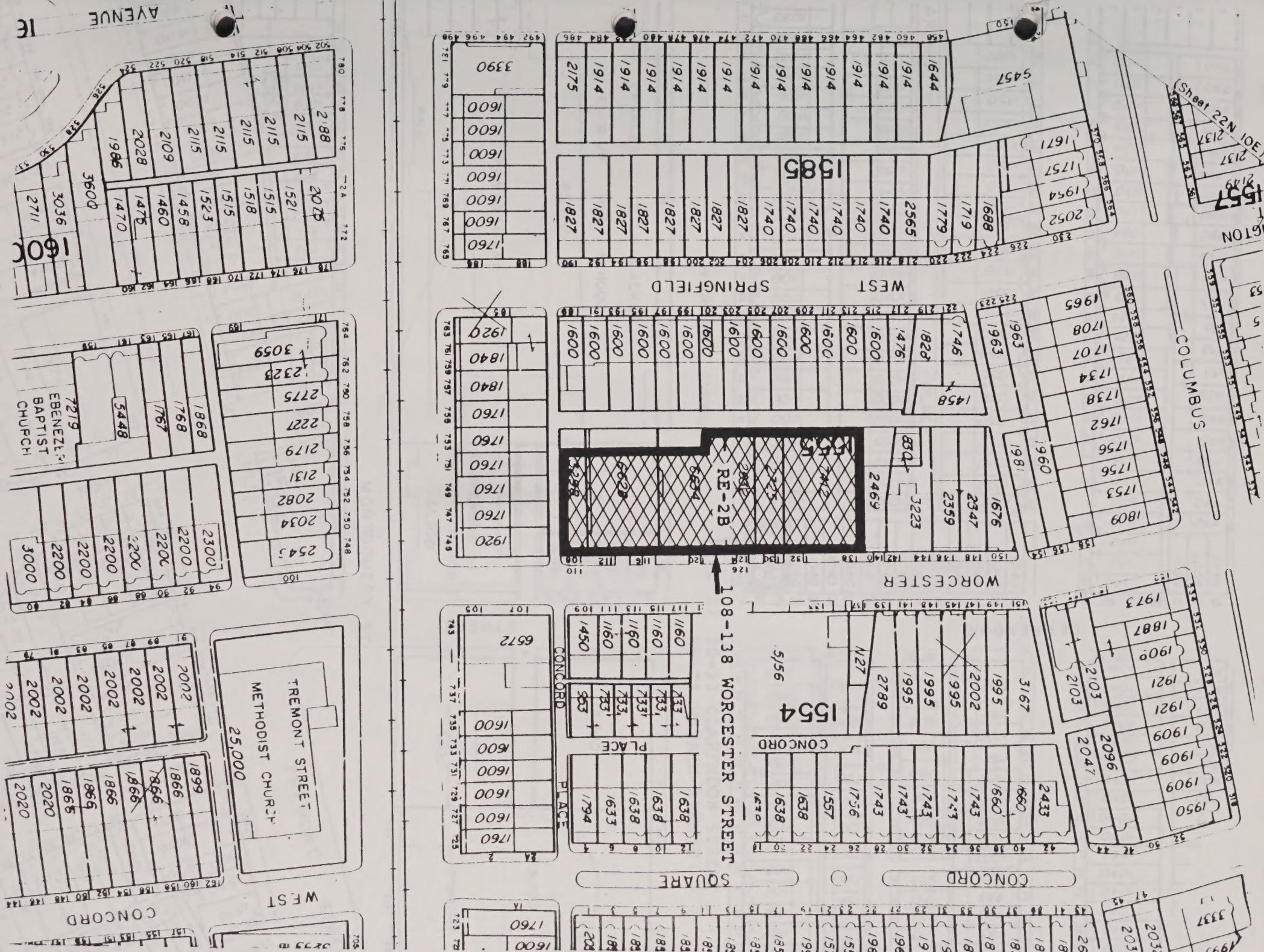
2. That disposal of the above-referenced parcels by negotiation is the appropriate method of making the land available for redevelopment.

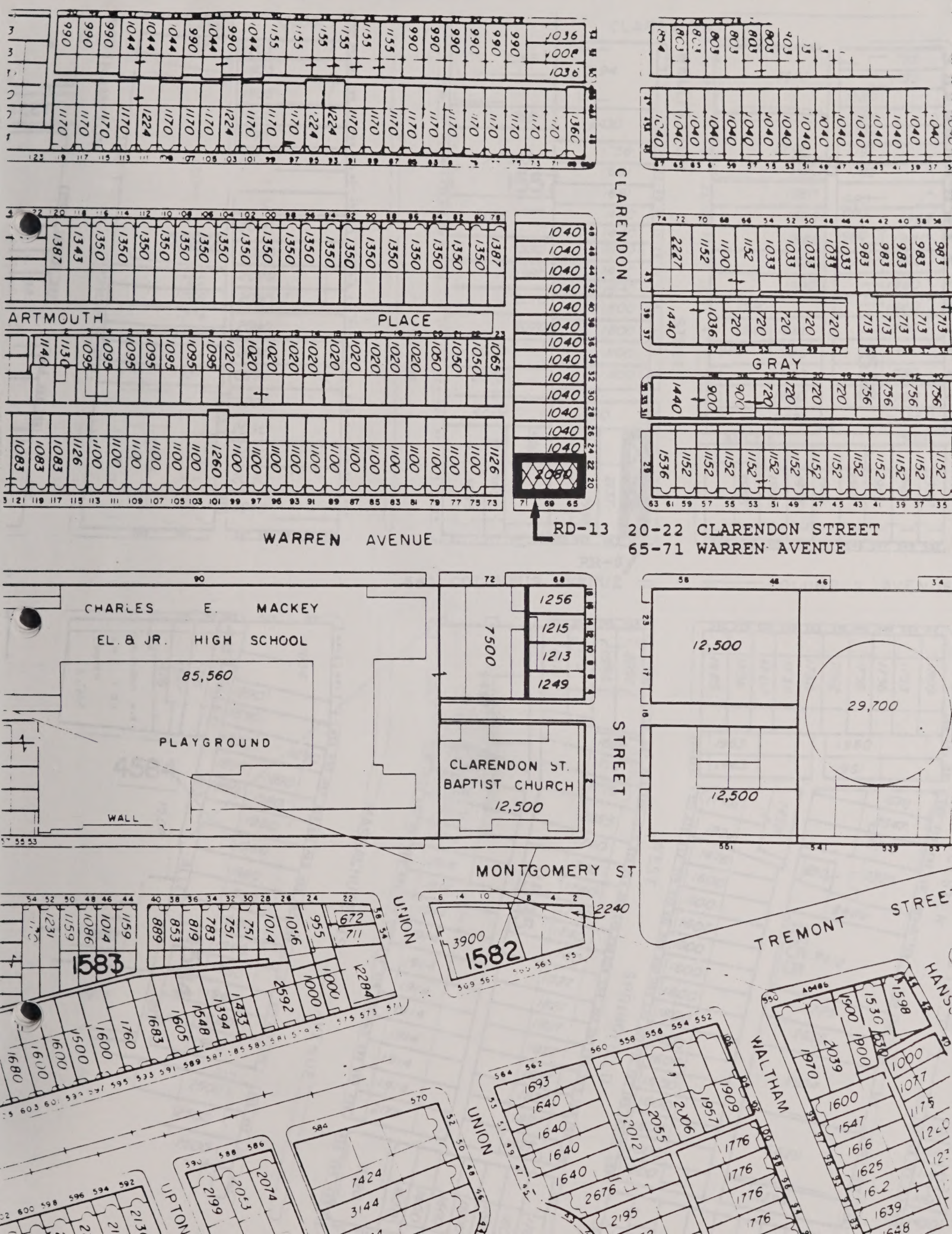
3. That it is hereby found and determined that the proposed development will not result in significant damage to or impairment of the environment and further, that all practicable feasible means and measures have been taken and are being utilized to avoid or minimize damage to the environment.

4. That the developer be and hereby is authorized to enter into a License with the Authority for the purpose of early entry into the above-referenced parcels. Said License shall further provide that the Licensee shall obtain liability insurance naming the Authority as co-insured and Licensee agrees to indemnify and hold harmless the Authority from any liability and/or damage, resulting from the Licensee's use of the premises. Said License to include such other terms and conditions as the Director deems proper and in the best interest of the Authority.

5. That the developer be and hereby is authorized to petition the Board of Appeals for any zoning changes that may be necessary to complete the proposed development.

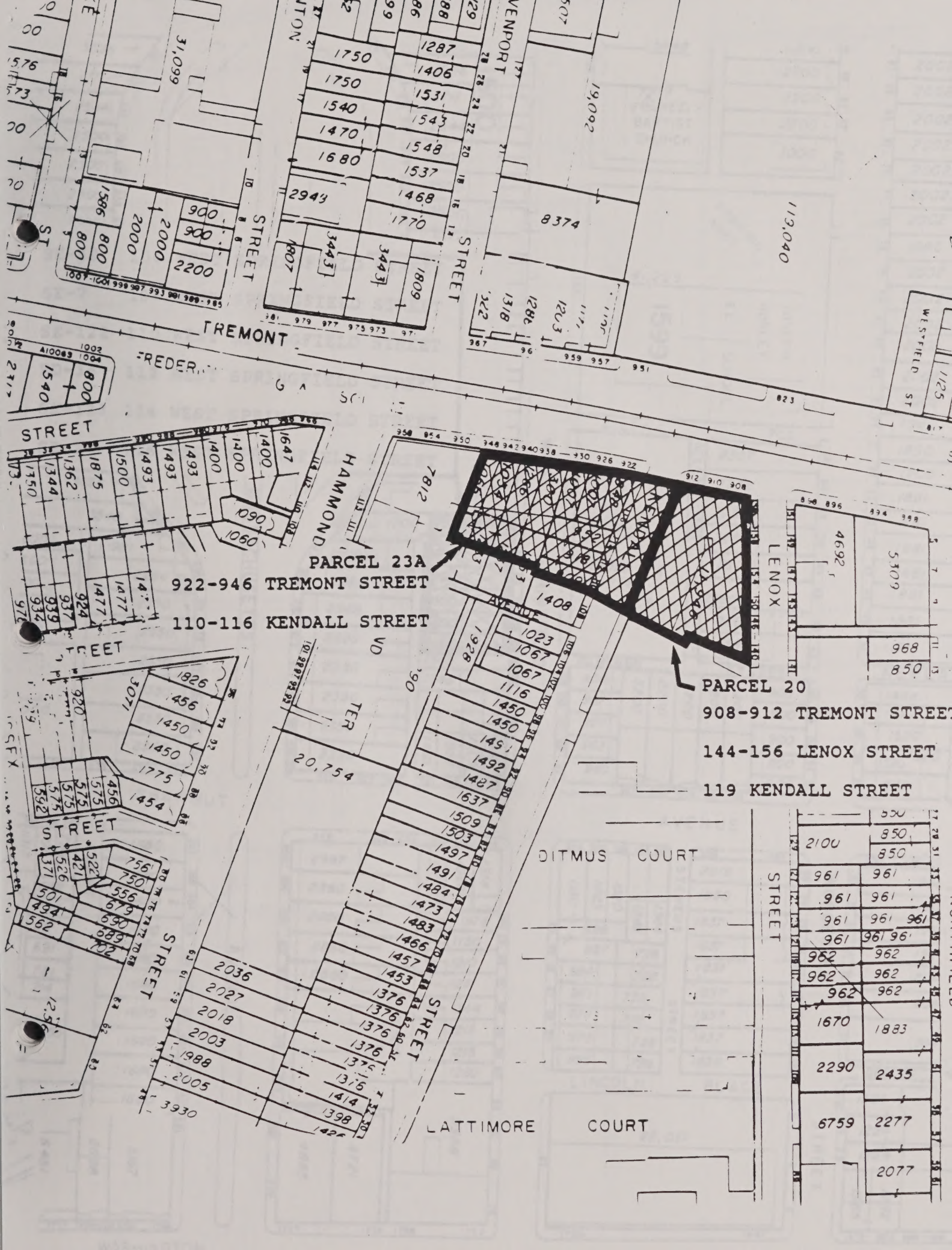
6. That the Secretary is hereby authorized and directed to publish notice of the proposed disposal transaction in accordance with Section 105(E) of the Housing Act of 1949, as amended, including information with respect to the "Redeveloper's Statement for Public Disclosure" (Federal Form H-6004).

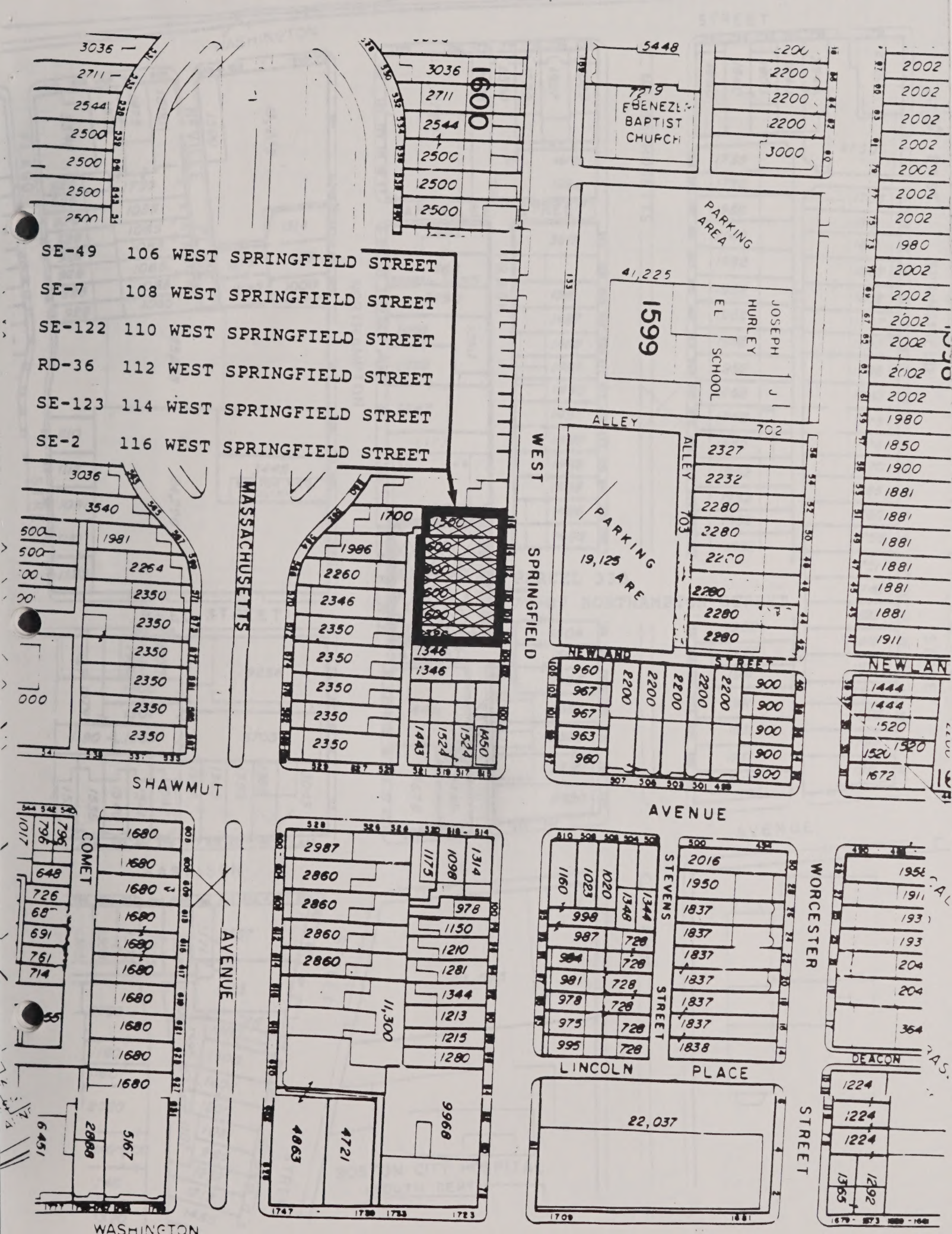

AVENUE
SPRINGFIELD
WEST
COLUMBUS
WORCESTER
108-138 WORCESTER STREET
CONCORD
PLACE
SQUARE
RE-2B
TREMONT STREET
METHODIST CHURCH
25,000
EBENEZER BAPTIST CHURCH
1554
1585

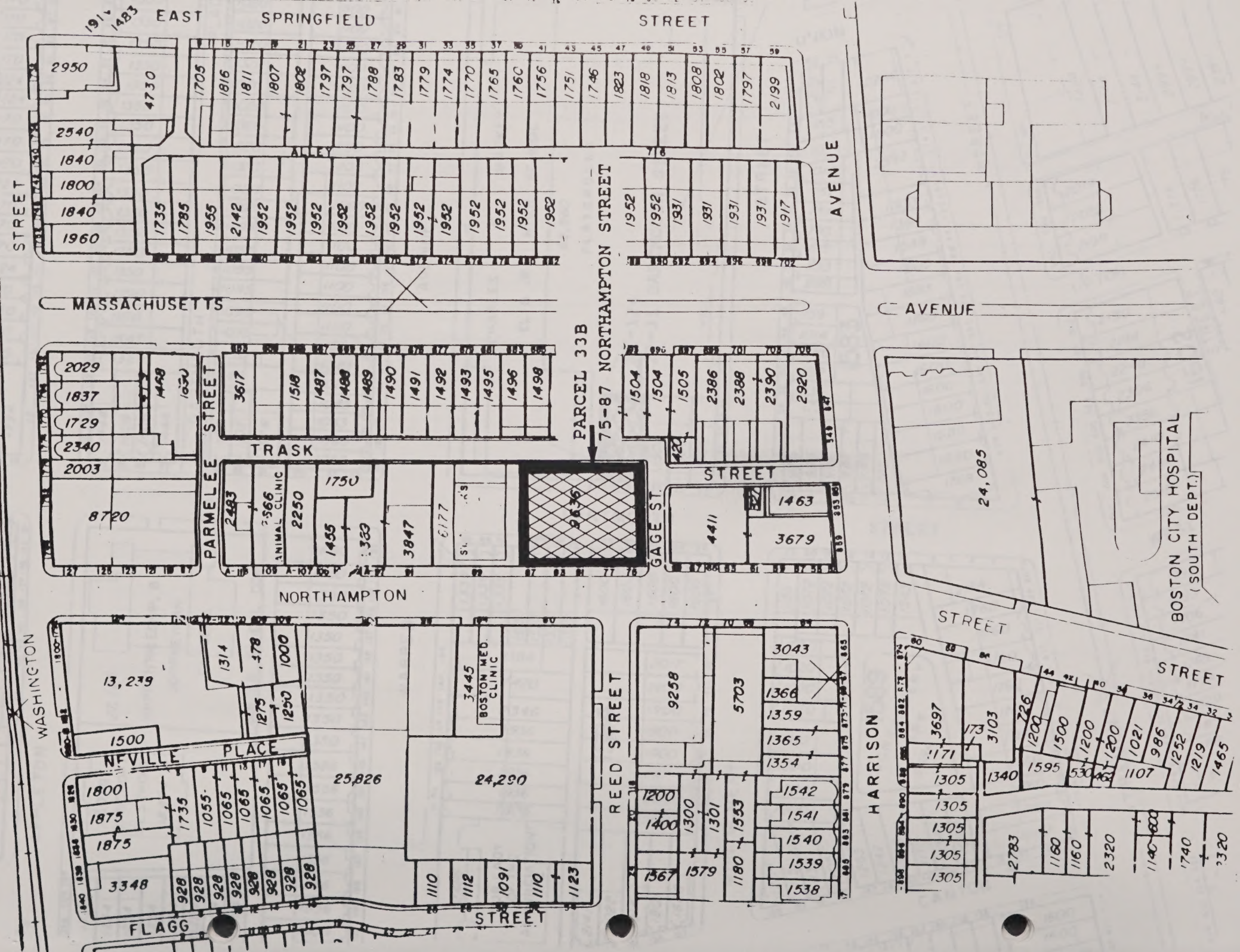

CLARENDON
ARTMOUTH PLACE
GRAY
WARREN AVENUE
RD-13 20-22 CLARENDON STREET
65-71 WARREN AVENUE
CHARLES E. MACKEY
EL. & JR. HIGH SCHOOL
85,560
PLAYGROUND
WALL
7500
CLARENDON ST.
BAPTIST CHURCH
12,500
STREET
12,500
29,700
12,500
MONTGOMERY ST
TREMONT
STREE
UNION
1583
3900
1582
2240
WALTHAM
HANS
UNION
UPTON

CLAREMONT
WELLINGTON
STREET
AVENUE
COLUMBUS AVENUE
561 COLUMBUS AVENUE
RR-8
WEST SPRINGFIELD
MASSACHUSETTS AVENUE
NORTHAMPTON
ALLEY
1556
1557
1555
1585
4582
4584
COLUMBUS AVE AME 701 CHURCH

PARCEL 30
1561-1565 WASHINGTON STREET
1 HAVEN STREET
WASHINGTON STREET
(DISCONTINUED)
HAVEN ST.
CUMSTON PL.
WEST CONCORD STREET
E NEWTON ST.
EAST CONCORD
SHAWMUT
JAMES
BLACKSTONE SQUARE
FRANKLIN SQUARE
106,599
50,695
64,570
OUR LADY OF (RC) THE CEDARS OF LEBANON
ST STEPHENS EPIS CHURCH
ST GEORGE SYRIAN ORTHODOX CHURCH
IMMACULATE CONCEPTION JESUIT FATHERS
BURYING GROUND
1614
1615
1616
1622
1623
1624
1625
1631
1632
1643
7497
7030
3637
4824
8070
2868
3481
2259
2371
3140


PARCEL 23A
922-946 TREMONT STREET
110-116 KENDALL STREET
PARCEL 20
908-912 TREMONT STREET
144-156 LENOX STREET
119 KENDALL STREET
TREMONT
STREET
HAMMOND
LENOX
AVENUE
DITMUS COURT
LATTIMORE COURT
20,754
31,099
20,902
113,040


SE-49 106 WEST SPRINGFIELD STREET
SE-7 108 WEST SPRINGFIELD STREET
SE-122 110 WEST SPRINGFIELD STREET
RD-36 112 WEST SPRINGFIELD STREET
SE-123 114 WEST SPRINGFIELD STREET
SE-2 116 WEST SPRINGFIELD STREET
WEST SPRINGFIELD
MASSACHUSETTS
SHAWMUT
AVENUE
NEWLAND STREET
ALLEY
PARKING AREA
41,225
1599
JOSEPH HURLEY EL SCHOOL
PARKING 19,125 ARE
EBENEZER BAPTIST CHURCH
1600
COMET
AVENUE
WASHINGTON
STEVENS STREET
LINCOLN PLACE
WORCESTER STREET
DEACON
22,037
11,300
9960
4063
4721
5167
2860


EAST SPRINGFIELD STREET
STREET
ALLEY
AVENUE
MASSACHUSETTS
AVENUE
PARCEL 33B
75-87 NORTHAMPTON STREET
PARMELEE STREET
TRASK
STREET
GAGE ST.
NORTHAMPTON
STREET
BOSTON CITY HOSPITAL
(SOUTH DEPT.)
STREET
WASHINGTON
NEVILLE PLACE
REED STREET
HARRISON
STREET
FLAGG
STREET
ANIMAL CLINIC
BOSTON MED. CLINIC
24,085
13,239
25,826
24,290

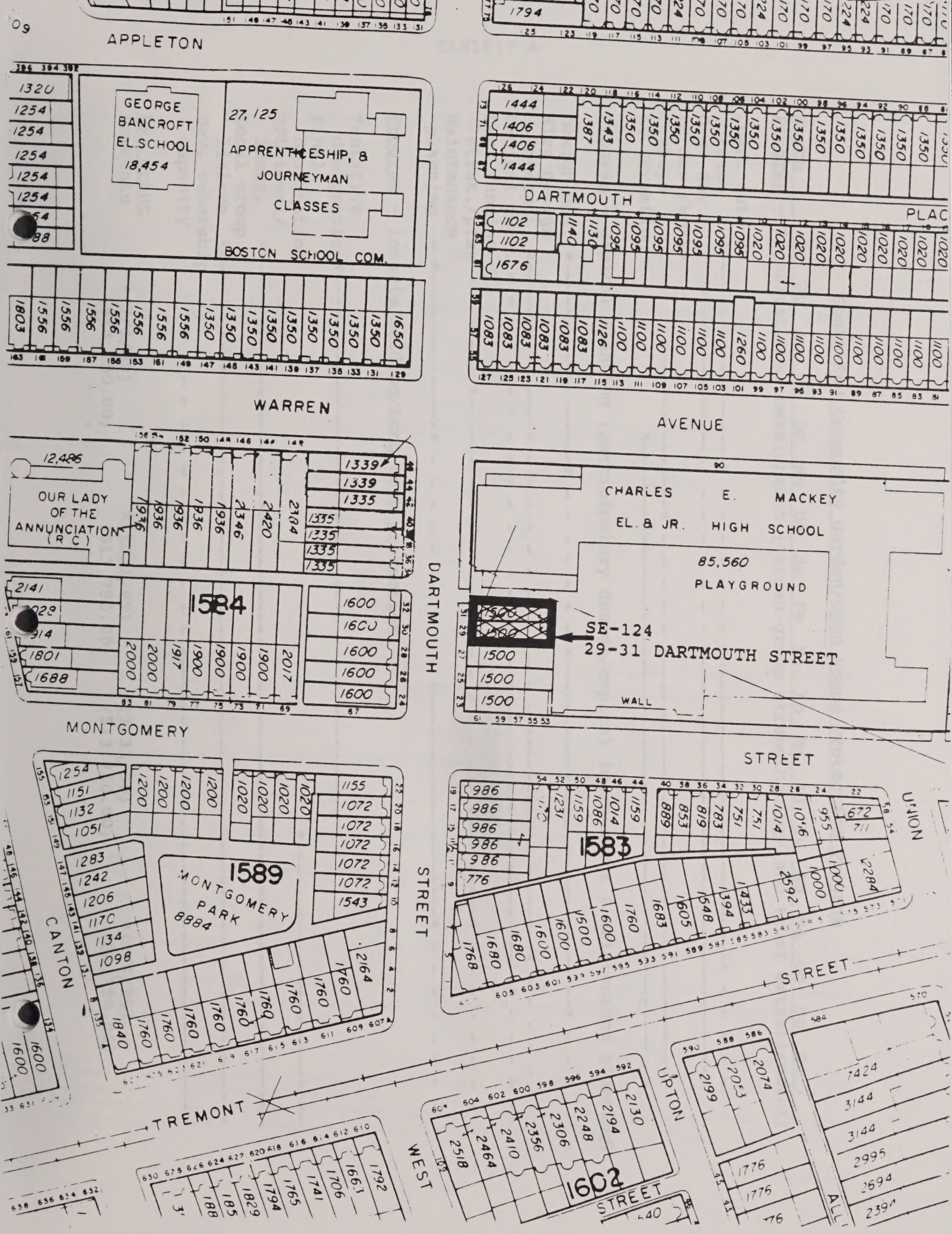

APPLETON
GEORGE BANCROFT EL.SCHOOL 18,454
27, 125
APPRENTICESHIP, & JOURNEYMAN CLASSES
BOSTON SCHOOL COM.
WARREN
DARTMOUTH
AVENUE
OUR LADY OF THE ANNUNCIATION (R C)
12,486
1584
MONTGOMERY
CHARLES E. MACKEY EL. & JR. HIGH SCHOOL
85,560
PLAYGROUND
SE-124
29-31 DARTMOUTH STREET
WALL
STREET
1589
MONTGOMERY PARK
8884
CANTON
1583
UNION
TREMONT
1602
UPTON
WEST

EXHIBIT A

South End Community Garden/Open Space Protection Program

Month	Ju	Ju	Au	Se	Oc	No	De	Ja	Fe	Ma	Ap	Ma	Ju	Ju	Au	Se	Oc	No	De
Program - Organizational Development (Garden group strengthening/land trust establishment)																			
Comm. outreach	*	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Org. dev.	*	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
LT dev./workshops	*	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
LT formation	*	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Program - Capital Planning (participatory design/capital improvement & maintenance planning)																			
Design dev.	*	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Hire design intern	*	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Capital impr.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Dev. funding strat./plan	-	-	-	-	-	*	-	-	-	-	-	-	-	-	-	-	-	-	-
Maintenance planning	-	*	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Program - Interim holding/Long-term protection																			
Tentative designation	*	-	-	-	-	-	-	-	-	-	-	-	*						
Final designation													*	-	-	-	-	-	-
TPL legal/insur.	*	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Local group liaison	*	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Dev. ownership capacity		*	-	-	-	-	-	-	-	-	-	-	*	-	-	-	-	-	-
BRA Grant Payments	*(7/1/89) ($13,750.00)				*(12/1/89) ($13,750.00)			*(3/31/90) ($13,750.00)				*(9/1/90) ($8,750.00)							

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Form Approved
OMB No. 63R-0867

PART I - REDEVELOPER'S STATEMENT FOR PUBLIC DISCLOSURE [1]

A. REDEVELOPER AND LAND

1- a. Name of Redeveloper: Trust for Public Land

b. Address and ZIP Code of Redeveloper: 33 Harrison Avenue, Boston MA 02111

c. IRS Number of Redeveloper: 23-7222-333

2. The land on which the Redeveloper proposes to enter into a contract for, or understanding with respect to, the purchase or lease of land from

Boston Redevelopment Authority
(Name of Local Public Agency)

in South End/Lower Roxbury
(Name of Urban Renewal or Redevelopment Project Area)

in the City of Boston, State of Massachusetts,
is described as follows [2]

See Attachment "A"

3. If the Redeveloper is not an individual doing business under his own name, the Redeveloper has the status indicated below and is organized or operating under the laws of California:

- ☐ A corporation.
- ☒ A nonprofit or charitable institution or corporation.
- ☐ A partnership known as
- ☐ A business association or a joint venture known as
- ☐ A Federal, State, or local government or instrumentality thereof.
- ☐ Other *(explain)*

4. If the Redeveloper is not an individual or a government agency or instrumentality, give date of organization: May 5, 1972

5. Names, addresses, title of position (if any), and nature and extent of the interest of the officers and principal members, shareholders, and investors of the Redeveloper, other than a government agency or instrumentality, are set forth as follows:

N/A

[1] If space on this form is inadequate for any requested information, it should be furnished on an attached page which is referred to under the appropriate numbered item on the form.

[2] Any convenient means of identifying the land (such as block and lot numbers or street boundaries) is sufficient. A description by metes and bounds or other technical description is acceptable, but not required.

a. If the Redeveloper is a corporation, the officers, directors or trustees, and each stockholder owning more than 10% of any class of stock[1].

b. If the Redeveloper is a nonprofit or charitable institution or corporation, the members who constitute the board of trustees or board of directors or similar governing body.

c. If the Redeveloper is a partnership, each partner, whether a general or limited partner, and either the percent of interest or a description of the character and extent of interest.

d. If the Redeveloper is a business association or a joint venture, each participant and either the percent of interest or a description of the character and extent of interest.

e. If the Redeveloper is some other entity, the officers, the members of the governing body, and each person having an interest of more than 10%.

NAME, ADDRESS, AND ZIP CODE	POSITION TITLE *(if any)* AND PERCENT OF INTEREST OR DESCRIPTION OF CHARACTER AND EXTENT OF INTEREST
See Attachment "B"	

6. Name, address, and nature and extent of interest of each person or entity *(not named in response to Item 5)* who has a beneficial interest in any of the shareholders or investors named in response to Item 5 which gives such person or entity more than a computed 10% interest in the Redeveloper *(for example, more than 20% of the stock in a corporation which holds 50% of the stock of the Redeveloper; or more than 50% of the stock in a corporation which holds 20% of the stock of the Redeveloper)*:

NAME, ADDRESS, AND ZIP CODE	DESCRIPTION OF CHARACTER AND EXTENT OF INTEREST
N/A	

7. Names *(if not given above)* of officers and directors or trustees of any corporation or firm listed under Item 5 or Item 6 above:

N/A

B. RESIDENTIAL REDEVELOPMENT OR REHABILITATION

(The Redeveloper is to furnish the following information, but *only* if land is to be redeveloped or rehabilitated in whole or in part for *residential* purposes.)

[1] If a corporation is required to file periodic reports with the Federal Securities and Exchange Commission under Section 13 of the Securities Exchange Act of 1934, so state under this Item 5. In such case, the information referred to in this Item 5 and in Items 6 and 7 is not required to be furnished.

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

PART I - REDEVELOPER'S STATEMENT FOR PUBLIC DISCLOSURE *(Continued)*

Form Approved
OMB No. 63R-0867

1. State the Redeveloper's estimates, exclusive of payment for the land, for:

   a. Total cost of any residential redevelopment. . . . . $
   b. Cost per dwelling unit of any residential redevelopment . . . . . $
   c. Total cost of any residential rehabilitation . . . . . $
   d. Cost per dwelling unit of any residential rehabilitation . . . . . $

2. a. State the Redeveloper's estimate of the average monthly rental *(if to be rented)* or average sale price *(if to be sold)* for each type and size of dwelling unit involved in such redevelopment or rehabilitation:

TYPE AND SIZE OF DWELLING UNIT	ESTIMATED AVERAGE MONTHLY RENTAL $	ESTIMATED AVERAGE SALE PRICE $
N/A		

b. State the utilities and parking facilities, if any, included in the foregoing estimates of rentals;

N/A

c. State equipment, such as refrigerators, washing machines, air conditioners, if any, included in the foregoing estimates of sales prices:

CERTIFICATION

I (We)[1] John E. Feingold

certify that this Redeveloper's Statement for Public Disclosure is true and correct to the best of my (our) knowledge and belief.[2]

Dated: June 2, 1989

John E. Feingold
Signature

Director, New England Field Office
Title

33 Harrison Ave
Boston MA 02111
Address and ZIP Code

Dated: _____

_____
Signature

_____
Title

_____
Address and ZIP Code

[1] If the Redeveloper is an individual, this statement should be signed by such individual; if a partnership, by one of the partners; if a corporation or other entity, by one of its chief officers having knowledge of the facts required by this statement.

[2] Penalty for False Certification: Section 1001, Title 18, of the U.S. Code, provides a fine of not more than $10,000 or imprisonment of not more than five years, or both, for knowingly and willfully making or using any false writing or document, knowing the same to contain any false, fictitious or fraudulent statement or entry in a matter within the jurisdiction of any Department of the United States.

PART II - REDEVELOPER'S STATEMENT OF QUALIFICATIONS AND FINANCIAL RESPONSIBILITY

(For Confidential Official Use of the Local Public Agency and the Department of Housing and Urban Development. Do Not Transmit to HUD Unless Requested or Item 8b is Answered "Yes.")

1. a. Name of Redeveloper:

Trust for Public Land

b. Address and ZIP Code of Redeveloper:

33 Harrison Ave., Boston MA 02111

2. The land on which the Redeveloper proposes to enter into a contract for, or understanding with respect to, the purchase or lease of land from

Boston Redevelopment Authority
(Name of Local Public Agency)

in South End/Lower Roxbury
(Name of Urban Renewal or Redevelopment Project Area)

in the City of Boston, State of Massachusetts, is described as follows:

See Attachment "A"

3. Is the Redeveloper a subsidiary of or affiliated with any other corporation or corporations or any other firm or firms? ☒ YES ☐ NO

If Yes, list each such corporation or firm by name and address, specify its relationship to the Redeveloper, and identify the officers and directors or trustees common to the Redeveloper and such other corporation or firm.

TPL-New Jersey, Inc.
TPL-New York, Inc.
TPL-Mississippi, Inc.
TPL-Oregon, Inc.
The Minnesota Trust for Public Land, Inc.

4. a. The financial condition of the Redeveloper, as of March 31, 1988, 19____, is as reflected in the attached financial statement.

(NOTE: Attach to this statement a certified financial statement showing the assets and the liabilities, *including contingent liabilities*, fully itemized in accordance with accepted accounting standards and based on a proper audit. If the date of the certified financial statement precedes the date of this submission by more than six months, also attach an interim balance sheet not more than 60 days old.)

Note: Audited financial reports for year ended March 31, 1989 not completed yet.

b. Name and address of auditor or public accountant who performed the audit on which said financial statement is based:

Touche Ross & Co.
2101 Webster Street
Oakland, CA 94612

5. If funds for the development of the land are to be obtained from sources other than the Redeveloper's own funds, a statement of the Redeveloper's plan for financing the acquisition and development of the land:

N/A

PART II - REDEVELOPER'S STATEMENT OF QUALIFICATIONS AND FINANCIAL RESPONSIBILITY *(Continued)*

6. Sources and amount of cash available to Redeveloper to meet equity requirements of the proposed undertaking:

   a. In banks:

NAME, ADDRESS, AND ZIP CODE OF BANK	AMOUNT
	$

See Attached Financial Statements

   b. By loans from affiliated or associated corporations or firms:

NAME, ADDRESS, AND ZIP CODE OF SOURCE	AMOUNT
	$

   c. By sale of readily salable assets:

DESCRIPTION	MARKET VALUE	MORTGAGES OR LIENS
	$	$

7. Names and addresses of bank references:

Bank of America
555 California St. - 2nd Flr.
San Francisco, CA 94104

The Chase Manhatten Bank
599 Broadway
New York, NY 10012

8. a. Has the Redeveloper or *(if any)* the parent corporation, or any subsidiary or affiliated corporation of the Redeveloper or said parent corporation, or any of the Redeveloper's officers or principal members, shareholders or investors, or other interested parties (as listed in the responses to Items 5,6, and 7 of the *Redeveloper's Statement for Public Disclosure* and referred to herein as "principals of the Redeveloper") been adjudged bankrupt, either voluntary or involuntary, within the past 10 years? ☐ YES ☒ NO

   If Yes, give date, place, and under what name.

   b. Has the Redeveloper or anyone referred to above as "principals of the Redeveloper" been indicted for or convicted of any felony within the past 10 years? ☐ YES ☒ NO

   If Yes, give for each case (1) date, (2) charge, (3) place, (4) Court, and (5) action taken. Attach any explanation deemed necessary.

9. a. Undertakings, comparable to the proposed redevelopment work, which have been completed by the Redeveloper or any of the principals of the Redeveloper, including identification and brief description of each project and date of completion:

PART II - REDEVELOPER'S STATEMENT OF QUALIFICATIONS AND FINANCIAL RESPONSIBILITY *(Continued)*

b. If the Redeveloper or any of the principals of the Redeveloper has ever been an employee, in a supervisory capacity, for construction contractor or builder on undertakings comparable to the proposed redevelopment work, name of such employee, name and address of employer, title of position, and brief description of work:

N/A

10. Other federally aided urban renewal projects under Title I of the Housing Act of 1949, as amended, in which the Redeveloper or any of the principals of the Redeveloper is or has been the redeveloper, or a stockholder, officer, director or trustee, or partner of such a redeveloper:

N/A

11. If the Redeveloper or a parent corporation, a subsidiary, an affiliate, or a principal of the Redeveloper is to participate in the development of the land as a construction contractor or builder:

a. Name and address of such contractor or builder:

N/A

b. Has such contractor or builder within the last 10 years ever failed to qualify as a responsible bidder, refused to enter into a contract after an award has been made, or failed to complete a construction or development contract? ☐ YES ☐ NO
If Yes, explain:

N/A

c. Total amount of construction or development work performed by such contractor or builder during the last three years: $ _____ .

General description of such work:

N/A

d. Construction contracts or developments now being performed by such contractor or builder:

IDENTIFICATION OF CONTRACT OR DEVELOPMENT	LOCATION	AMOUNT	DATE TO BE COMPLETED
		$	

N/A

PART II - REDEVELOPER'S STATEMENT OF QUALIFICATIONS AND FINANCIAL RESPONSIBILITY *(Continued)*

e. Outstanding construction-contract bids of such contractor or builder:

AWARDING AGENCY	AMOUNT $	DATE OPENED
N/A		

12. Brief statement respecting equipment, experience, financial capacity, and other resources available to such contractor or builder for the performance of the work involved in the redevelopment of the land, specifying particularly the qualifications of the personnel, the nature of the equipment, and the general experience of the contractor:

13. a. Does any member of the governing body of the Local Public Agency to which the accompanying bid or proposal is being made or any officer or employee of the Local Public Agency who exercises any functions or responsibilities in connection with the carrying out of the project under which the land covered by the Redeveloper's proposal is being made available, have any direct or indirect personal interest in the Redeveloper or in the redevelopment or rehabilitation of the property upon the basis of such proposal? ☐ YES ☒ NO

If Yes, explain.

b. Does any member of the governing body of the locality in which the Urban Renewal Area is situated or any other public official of the locality, who exercises any functions or responsibilities in the review or approval of the carrying out of the project under which the land covered by the Redeveloper's proposal is being made available, have any direct or indirect personal interest in the Redeveloper or in the redevelopment or rehabilitation of the property upon the basis of such proposal? ☐ YES ☒ NO

If Yes, explain.

14. Statements and other evidence of the Redeveloper's qualifications and financial responsibility *(other than the financial statement referred to in Item 4a)* are attached hereto and hereby made a part hereof as follows:

CERTIFICATION

I (We)[1] John E. Feingold

certify that this Redeveloper's Statement of Qualifications and Financial Responsibility and the attached evidence of the Redeveloper's qualifications and financial responsibility, including financial statements, are true and correct to the best of my (our) knowledge and belief.[2]

Dated: June 2, 1989	Dated:
John E Feingold	
Signature	*Signature*
Director New England Field Office	
Title	*Title*
33 Harrison Ave	
Boston MA 02111	
Address and ZIP Code	*Address and ZIP Code*

[1] If the Redeveloper is a corporation, this statement should be signed by the President and Secretary of the corporation; if an individual, by such individual; if a partnership, by one of the partners; if an entity not having a president and secretary, by one of its chief officers having knowledge of the financial status and qualifications of the Redeveloper..

[2] Penalty for False Certification: Section 1001, Title 18, of the U.S. Code, provides a fine of not more than $10,000 or imprisonment of not more than five years, or both, for knowingly and willfully making or using any false writing or document, knowing the same to contain any false, fictitious or fraudulent statement or entry in a matter within the jurisdiction of any Department

Attachment "A"

Map #	Parcel #	Address	Area
1	RE-2B	108-138 Worcester Street	28,849
2	RD-13	20-22 Clarendon Street 65-71 Warren Avenue	2,080
3	RR-8	561 Columbus Avenue	2,137
4	30	1561-1565 Washington Street 1 Haven Street	13,767
5	20	908-912 Tremont Street 144-156 Lenox Street 119 Kendall Street	11,946
6	23-A	922-946 Tremont Street 100-116 Kendall Street	12,079
7	SE-49	106 West Springfield Street	1,326
	SE-7	108 West Springfield Street	1,600
	SE-122	110 West Springfield Street	1,600
	RD-36	112 West Springfield Street	1,600
	SE-123	114 West Springfield Street	1,600
	SE-2	116 West Springfield Street	1,500
8	33-B	75-87 Northampton Street	9,636
9	SE-124	29-31 Dartmouth Street	3,000

1
2
3
4
5
6
7
8
9
WORCESTER SQUARE
EAST CANTON STREET
EAST BROOKLINE STREET
EAST CONCORD STREET
EAST NEWTON STREET
EAST BERKELEY STREET
EAST DEDHAM STREET
EAST UNION STREET
EAST SPRINGFIELD STREET
EAST WARREN STREET
EAST MONTGOMERY STREET
EAST CHANDLER STREET
EAST LENOX STREET
EAST ORLEANS STREET
EAST EAST BRISTOL STREET
EAST SOUTHAMPTON STREET
EAST SOUTH STREET
EAST SOUTH STREET
EAST SOUTH

Attachment "B"

THE TRUST FOR PUBLIC LAND
BOARD OF DIRECTORS

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(312) 368-1855/(800) 645-5329
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(August and September)

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(415) 525-1428

Richard D. Marshall
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until 4/15/89:
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Bal Harbour, FL 3315
(305)866-8775

Stephen C. Morris
38040 Shaker Boulevard
Chagrin Falls, OH 44022
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(503) 292-8518

James D. Sano
InnerAsia
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(415) 922-0448
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186 Tamal Vista Drive
San Rafael, CA 94901
(415) 457-9927

Revised 1/7/89

THE TRUST FOR PUBLIC LAND

March 1989

FACT SHEET

The Trust for Public Land (TPL) conserves land as a living resource for present and future generations. As a results-oriented organization, TPL works closely with urban and rural groups and government agencies to:

1) acquire and preserve open space to serve human needs;
2) share knowledge of non-profit land acquisition processes; and,
3) pioneer methods of land conservation and environmentally sound land use.

Since its founding in 1973, TPL has protected 432,392 acres of scenic, recreational, urban, rural and wilderness land in 34 states and Canada. These lands reach from Massachusetts' Parker River National Wildlife Refuge and the Florida Keys to waterfront parks in downtown Seattle, Washington and Cleveland, Ohio. In 1987, TPL helped add 3,000 acres of canyons and beaches along the northern California coast to Sinkyone Wilderness State Park.

Because donations of land value to the Trust are tax-deductible, individuals or corporations may be able to take advantage of substantial tax benefits. Computerized tax benefit analysis aids landowners and TPL in structuring customized transactions that benefit all parties. By sharing land and cash donations with acquiring public agencies, TPL has transferred 531 parcels of land valued at $412.5 million into publicly protected ownership--ranging from single lots to tracts of thousands of acres--representing a savings of $99.1 million to public agencies and other non-profit organizations.

In metropolitan areas, TPL works with community organizations to revitalize and enhance neighborhood life. Typical projects include organizing land trusts and identifying and acquiring key parcels of land, principally for open space preservation or other important public-benefit purposes. These TPL actions frequently provide open space or enhance recreation at reduced cost to local governments because of the participation of citizen groups. Some projects result in compromise negotiations where community lands are preserved as open space while adjoining lands are utilized for appropriate development such as housing.

The Trust also works with concerned citizens to preserve significant land resources in suburban and rural communities. Successful projects range from protecting the dramatic coastline of Big Sur, California, to helping ranching and farming communities in Colorado. To date, TPL has helped or established more than 150 local land trusts.

The national office of the Trust for Public Land is in San Francisco. Regional offices are located in Boston, New York, Cleveland, Tallahassee, Santa Fe, and Seattle.

116 NEW MONTGOMERY
FOURTH FLOOR
SAN FRANCISCO
CALIFORNIA 94105
(415) 495-4014

THE TRUST FOR PUBLIC LAND

NEIGHBORHOOD LAND TRUSTS

Answers to Questions Often Asked

1. WHAT IS A NEIGHBORHOOD LAND TRUST?

A land trust is a nonprofit corporation which can own and control open space land within a given area. Land is owned by the land trust on behalf of the neighborhood. Most land trusts become "tax exempt", which means that the corporations's income is not subject to federal taxation.

2. WHY INCORPORATE A LAND TRUST?

So that property which has been revitalized to fulfill a community need cannot be taken away from the same community without its approval. Land trusts provide an opportunity for community residents to act in a creative and cooperative fashion to improve and manage their neighborhood. Also, corporate ownership of land protects neighborhood residents from individual liability should any accident occur on the property.

3. WHO IS A MEMBER OF THE LAND TRUST?

The members of the land trust are often those persons who have either assisted in the creation of a community open space project, are the users of a community open space project, or are members of an informal community organization that is now being incorporated into a land trust. Many land trusts allow open membership to broaden their base of support beyond the neighborhood itself.

4. WHAT ARE THE BENEFITS OF BEING A NONPROFIT TAX-EXEMPT CORPORATION?

The land trust can offer incentives such as tax benefits to owners of property which land trust would like to acquire, and similar tax benefits can be offered to businesses or individuals who might consider donations of cash or materials. In addition, many foundations will only support a tax-exempt corporation.

5. WHAT IS REQUIRED OF A TAX-EXEMPT CORPORATION?

The board of directors must meet regularly, according to the land trust's by-laws, and records of minutes must be taken at these meetings. In addition, federal income tax returns of the land trust must be filed annually. Many states have their own reporting requirements as well.

NEW ENGLAND
FIELD OFFICE
33 HARRISON AVENUE
BOSTON, MA 02111
(617) 451-7208

6. WHAT ARE THE RESPONSIBILITIES OF THE LAND TRUST BOARD OF DIRECTORS?

The board of directors would assure the effective use of the open space sites owned by their trust, decide how each is to be used, and determine whether additional properties should be acquired within the land trust boundaries.

7. ARE THE MEMBERS OF THE LIABLE FOR DEBTS OR DAMAGE?

In general, the members of a land trust are not liable for debts or damages provided that they have used reasonable care and common sense in performing activities connected with the land trust.

8. IS THE LAND TRUST RESPONSIBLE FOR PROPERTY TAX PAYMENTS?

In Boston and other New England cities, tax exempt land trusts can also be exempted from real estate taxes. In addition, land trusts also become eligible for sales tax exemption. Neither exemption is automatic and the land trust must apply to the local or state authorities to receive exemptions.

9. IS THE LAND TRUST RESPONSIBLE FOR MAINTENANCE OF THE COMMUNITY OPEN SPACE PROJECTS?

Yes, but there are several nonprofit organizations that can assist land trusts in the maintenance of open space projects.

10. WHAT WOULD HAPPEN IF THE LAND TRUST ORGANIZATION WERE TO COLLAPSE?

The ownership of the property can revert to a similar nonprofit organization specified in the by-laws. If the land trust is dissolved by government action, the corporation's assets may be distributed according to a court order. In some cases, the property may simply revert to the city for failure to pay taxes.

11. WHAT ON-GOING ASSISTANCE WILL THE TRUST FOR PUBLIC LAND PROVIDE THE LAND TRUST?

In addition to assisting in the incorporation of the land trust, TPL will continue supplying acquisition, legal and development assistance to land trust groups. TPL hopes to develop strong, self-sustaining institutions within neighborhood, so that the neighborhood trust can endure and expand on its own.

Boston
Urban
Gardeners

Mr. Stephen Coyle, Director
Boston Redevelopment Authority
1 City Hall Plaza
Boston, MA. 02201

June 9, 1989

Dear Mr. Coyle,

Boston Urban Gardeners is writing in strong support of the plan currently before the Boston Redevelopment Board to designate the Trust for Public Land, an experienced national non-profit organization, to preserve seven parcels in the South End-Lower Roxbury neighborhood as permanent public open space and to begin the process of organizing a community-based entity to manage and maintain these critical open spaces, which serve primarily elderly and low income residents.

To briefly recall the findings of the 1988 "South End Open Space Needs Assessment" which Boston Urban Gardeners conducted under contract to the BRA (and which recommendations were presented and endorsed at a number of well publicized and well attended community meetings during 1988 and 1989):

1) The South End-Lower Roxbury neighborhood has, at 1.46 acres of public open space per 1000 residents, one of the lowest ratios of open space to population of all of Boston's neighborhoods.

This ratio contrasts unfavorably with other residential Planning Districts. For example, the Back Bay/Beacon Hill Planning District contains approximately the same residential density as the South End (at 44.6 and 43.2, respectively, the highest in the city, aside from Chinatown) but Back Bay/Beacon Hill contains 5.45 acres of public open space per 1000 residents. South Boston contains more than 7.42 acres of open space per 1000 residents; Charlestown more 2.19 acres per 1000.

2) Most of the South End-Lower Roxbury Planning District's open spaces, and almost all of its recreational facilities and ballfields, moreover, occur at the edges of the neighborhood, where they are in fact shared by residents of other neighborhoods, further reducing the actual ratio of open space to population. The larger parks -- from the new Southwest Corridor, to Peters Park, Ramsey Park, Roche ballfield, Carter Playground and Titus Sparrow Park -- are all located at the boundaries of the neighborhood. As the currently vacant land at the edges of the neighborhood is developed, the

33 Harrison Avenue 5th Floor Boston, MA 02111 (617) 423-7497

pressures on these parks and playgrounds will intensify, not only from with the South End-Lower Roxbury, but from adjacent communities.

3) The BRA's 1987 "Density Study: Planning and Zoning Recommendations," which used the reasonable and accepted planning standard of 1.6 - 2.5 acres of public open space per 1000 residents (a standard which almost all of Boston's neighborhoods meet and which most exceed) found intolerable densities and a lack of open space within the central 10 census tracts of the South End alone.

4) The BRA Research Department predicts expansion of the South End-Lower Roxbury Planning District's population from its current 27,000 residents to 30,400-33,400 by the year 2000. What this means is that if there is no addition to the current inventory of open space within the Planning District, the South End-Lower Roxbury's quality of life will be severely reduced as its open space to population drops to little more than one acre of open space per 1000 residents. Given the number of low and moderate income families and elders in the neighborhood who rely on nearby public open space to meet their passive and active recreational needs, a loss in the current, already low amount of available open space is unthinkable.

5) The South End-Lower Roxbury community currently contains more housing units and less open space than was originally envisioned in the 1965 Urban Renewal Plan. While this has reflected the real needs and priortities of the community, it is essential, now that more housing than originally anticipated has been built, to provide adequate open space to protect the community's health and quality of life, even as more housing units are planned and built on other of the remaining parcels.

6) To bring the South End-Lower Roxbury Planning District up to the minimum standard of 1.6 acres of public open space per 1000 population, and to keep pace with the anticipated growth of the community to at least 30,400 and probably 34,4000 residents by the year 2000, the South End-Lower Roxbury community should add from 10 - 14 acres of public open space to its inventory by the year 2000.

7) The existing community gardens and small open spaces proposed for designation to the Trust for Public Land would contribute approximately 3.5 acres to this future needed inventory. Moreover, these parcels are well sited throughout the neighborhood, and would provide a more balanced and more equitably distributed open space system to the neighborhood. Whether these spaces remain as community gardens in their use will depend on the needs and

preferences of residents of the community over time; what is clear is the need for additional and well distributed public open spaces throughout the neighborhood, a need this designation will begin to meet. (The rest of the increased inventory can perhaps developed as public-access amenities in conjunction with new housing and commercial development, and by careful planning for open additions along the Turnpike Air Rights, in South Bay and toward the Fort Point Channel area in the future.)

8) The parcels proposed for immediate designation are those which have been fully discussed at local and community-wide meetings and about which there has been no controversy. We proposed that the Berkeley Street Community Garden, because of its size and importance, be explored more fully within the upcoming master planning process; several other gardens also require more urban design and planning attention the before a final recommendation can be made. The sites before you are fully supported as open space by a broad spectrum of the community, and in fact we have been aware of no opposition whatsoever to the proposal before the Board.

9) All of the community gardens and small open spaces proposed for designation to the Trust for Public Land need to be better maintained and landscaped than they are currently. This is a task which is recognized by both the gardeners and the the community, and will be more easily addressed once efforts can focus on improving the spaces themselves rather than on securing their tenure.

Boston Urban Gardeners urges the Board of Directors of the Boston Redevelopment Authority to approve the designation of the eight parcels before you to the Trust for Public Land. Boston Urban Gardeners will assist and cooperate in every way possible to support this exciting and much-needed model for adding to a neighborhood's open space inventory. Thank you very much.

Sincerely,

Charlotte Kahn

Charlotte Kahn
Executive Director

South End Garden Project, Inc.

A not-for-profit organization of
urban community gardeners
in the South End and Lower Roxbury

June 6, 1989

Mr. Clarence J. Jones
Chairperson
Boston Redevelopment Authority
City Hall
Boston, MA 02201

Dear Mr. Jones:

As president of the South End Garden Project, I can speak for many members of the community -- not only gardeners -- in support of the recommendation of the BRA's South End Planning Team to designate nine South End parcels as permanent open space.

We approve of the choice of the Trust for Public Land to hold the parcels under tentative designation and we look forward to working with their staff to establish a long-term arrangement for owning, managing and maintaining the parcels as community open space.

We trust that the BRA board of directors will act promptly so we can move on to the work of making the necessary capital improvements so many of us would like to see.

Sincerely,

Eleanor M. Strong

Eleanor Strong
President
South End Garden Project, Inc.

554 Columbus Avenue · Boston, Massachusetts 02118 · (617) 267-7400

SOUTH END NEIGHBORHOOD SERVICE CENTER

"We Still Have The Dream"

abcd

June 8, 1989

THE SOUTH END-LOWER ROXBURY HOUSING & PLANNING COALITION

Mr. Clarence Jones
Chairperson, Board of Directors
Boston Redevelopment Authority
One City Hall Plaza
Boston, Massachusetts 02201

Dear Mr. Jones,

The South End Housing & Planning Coalition has been deeply involved in the process of the disposition of the publicly owned parcels in the South End since 1986. Our involvement will continue through the completion of SENHI Phase I & II and the South End Policy Development Planning Process.

Several months ago at a meeting of the full Coalition, the member agencies unanimously approved the recommendation of the Boston Urban Gardeners, the South End Gardeners and the BRA staff that tentative designation as open space be approved for a group of parcels in the South End. We were also in agreement that the designation of the Boston Land Trust as the designee was a viable and positive proposal.

At this time the Coalition wishes to formally state for the record our agreement with, support of the Boston Urban Gardeners proposal, and urge the favorable consideration by the BRA Board of Directors.

Sincerely,

Pat Cusick
Director, SNAP
for the SE-LR Housing & Planning Coalition

cc. Stephen Coyle, BRA Director
Coord. Committee SE-LR Housing & Planning Coalition
Charlotte Kahn, BUG
Eleanor Strong, South End Gardeners

CLAREMONT
NEIGHBORHOOD
ASSOCIATION
BOSTON SOUTH END

11 1/2 Greenwich Pk.
Boston, MA 02118
June 5, 1989

Stephen Coyle
Boston Redevelopment Authority
Boston City Hall
Boston, MA 02201

Dear Mr. Coyle:

As we have written to you in the past, the Claremont Neighborhood Association wishes to again indicate our support for the Boston Redevelopment Authority officially designating South End community gardens as open space and recommending to the Zoning Commission for an open space zoning.

Of particular concern to our neighborhood association (because they are within the boundaries of our association) are the garden/open space on Worcester Street (between Columbus Avenue and Tremont Street) and on Wellington Street at the corner of Columbus Avenue. We definitely support the open space designation for both of these parcels.

We appreciate the past support the B.R.A. has given to preserving open space in our neighborhood.

Sincerely,

Elizabeth Johnson

Elizabeth Johnson
Claremont Neighborhood
Association Executive
Committee

The Four Corners Neighborhood Association

Jeanette Boone, *president*
521 Shawmut Avenue Boston Massachusetts 02118

June 5, 1989

Mr. Clarence Jones
Chairperson
Boston Redevelopment Authority
City Hall
Boston, Massachusetts 02118

Dear Mr. Jones,

The Four Corners Neighborhood Association would like to take this opportunity to restate our support for the designation of several South End parcels (RE-2B, RD-13, RR-8, 30, 20, 23-A, SE-49, SE-7, SE-122, RD-36, SE-123, SE-2, 33-B and SE-124) as permanent open space. We support the idea of citing the Trust for Public Land (TPL) as the tentatively-designated redeveloper of these parcels, and we intend to work with TPL staff and BRA staff to establish a locally-based trust to own, operate and maintain these parcels.

Our members are keenly aware of the need for public open space to serve residents of the increasingly-crowded South End. As we work with TPL and the BRA toward conveyance of these parcels, we intend to advocate for some flexibility to ensure that these parcels are not necessarily limited to community garden use. There may be a time when we might want to consider using one or more of these parcels as a tot lot or passive park, and we want to be sure the land trust that is created allows for change if needed in the future.

We do believe tentative designation of these parcels to the TPL at this point makes sense, and we pledge to work with TPL and the BRA's South End planning team in the months to come.

Sincerely,

Jeanette Boone
President

Mr. Steven Coyle
Boston Redevelopment Authority
City Hall
Boston, MA 02201

Dear Mr. Coyle,

I am writing on behalf of the Community Gardners who have been gardening a BRA parcel of land at Warren Avenue and Clarendon Street for over fifteen years. As one of the BRA's SENHI parcels, this corner garden is under consideration for permanent designation as open space.

As gardeners and residents of the neighborhood, we strongly urge the BRA to approve such a designation. While the South End in general is lacking in adequate green space, this particular section within the Ellis neighborhood has none at all. The parcel sits opposite the unsightly Mackey Middle School, a large condominium complex, and the soon-to-be developed Boston Ballet Building, all of which give a decidedly urban texture to what is still basically a residential neighborhood. The need for open space on this corner is particularly acute.

Yours truly,

M. Thivierge

Mark L. Thivierge
103 Warren Avenue
Boston 02116

#5203

MEMORANDUM **JUNE 29, 1989**

TO: BOSTON REDEVELOPMENT AUTHORITY AND
STEPHEN COYLE, DIRECTOR

FROM: ANTHONY A. WILLIAMS, ASSISTANT DIRECTOR FOR NEIGHBORHOOD HOUSING AND DEVELOPMENT
THOMAS O'MALLEY, DIRECTOR OF SOUTH END PLANNING AND DEVELOPMENT
MARIA FARIA, SENIOR PROJECT MANAGER

SUBJECT: SOUTH END URBAN RENEWAL AREA, PROJECT NO. MASS. R-56 TENTATIVE DESIGNATION OF TRUST FOR PUBLIC LAND (TPL) AS REDEVELOPER OF EIGHT (8) COMMUNITY GARDEN SITES AND VACANT LAND CONSISTING OF ABOUT TWO (2) ACRES AND AUTHORIZATION TO PROVIDE A GRANT TO TPL FOR SERVICES RELATED TO ESTABLISHING A LOCAL COMMUNITY LAND TRUST AND MAINTAINING SAID PARCELS, PRIOR TO FINAL DESIGNATION

SUMMARY: THIS MEMORANDUM REQUESTS THAT THE BOSTON REDEVELOPMENT AUTHORITY (BRA) GRANT TENTATIVE DESIGNATION TO THE TRUST FOR PUBLIC LAND (TPL) AS REDEVELOPER OF 14 REUSE PARCELS ON EIGHT (8) SCATTERED SITES IN THE SOUTH END; AND FURTHER REQUESTS AUTHORIZATION FOR THE DIRECTOR TO ENTER INTO A CONTRACT WITH TPL IN AN AMOUNT OF $25,000 (TO BE PAID WITH BRA PROJECT FUNDS OVER AN 18-MONTH PERIOD) AS A GRANT FOR SERVICES RELATED TO ESTABLISHING A LOCAL COMMUNITY LAND TRUST AND ESTABLISHING A CAPITAL AND OPERATING BUDGET PLAN WHILE MAINTAINING SAID PARCELS, PRIOR TO FINAL DESIGNATION AND CONVEYANCE

This memorandum requests that the Trust for Public Land (TPL) be granted tentative designation as the redeveloper of 14 parcels which are currently used as garden sites and open space.

TPL is a national non-profit organization that acquires and preserves open space, provides technical assistance to local preservation organizations, and assists with fundraising and grant-writing projects. Since its founding in 1973, TPL has protected more than 432,000 acres of scenic, recreational, urban, rural and wilderness land. In metropolitan areas, TPL has a history of cooperation with local groups seeking to expand or preserve the supply of urban open space. Typical projects include organizing land trusts and identifying and acquiring key parcels of land. TPL has extensive contacts within the foundation and charitable communities.

MF2.17

The sites in question are scattered throughout the South End and they are as follows:

Reuse Parcel	Street Address	Land Area
RE-2B	108-138 Worcester Street	24,849 sq. ft
RD-13	20-22 Clarendon Street	2,080 sq. ft
	65-71 Warren Avenue	
RR-8	561 Columbus Avenue	2,137 sq. ft
30	1561-1565 Washington Street	13,767 sq. ft
20	908-912 Tremont Street	
	144-156 Lenox Street	
	119 Kendall Street	
23A	922-946 Tremont Street	11,946 sq. ft.
	110-116 Kendall Street	24,030 sq. ft
SE-49	106 West Springfield Street	1,326 sq. ft
SE-7	108 West Springfield Street	1,600 sq. ft.
SE-122	110 West Springfield Street	1,600 sq. ft
RD-36	112 West Springfield Street	1,600 sq. ft.
SE-123	114 West Springfield Street	1,600 sq. ft.
SE-2	116 West Springfield Street	1,500 sq. ft.
33 B	75-87 Northampton Street	9,654 sq. ft.
SE-124	29-31 Dartmouth Street	3,000 sq. ft.

The above-referenced South End parcels consisting of about 2.15 acres of vacant land have been used as community gardens and public open space for at least 10 years, allowing residents of the South End an opportunity for recreation and relaxation, as well as growing fruits and vegetables to supplement their food budget. These sites serve mostly lower-income residents, senior citizens, and newly-settled immigrants. Residents who do not actively garden have benefited from visual access to the gardens, and many people walk through or sit in the gardens in their leisure time.

The South End Open Space Study

In 1987, the BRA commissioned Boston Urban Gardeners (BUG) to conduct a South End Open Space Needs Assessment. The final BUG study, which was submitted to the BRA in February of 1988, includes a detailed examination of current open space resources and a projection of future needs. The BUG report notes that the South End Planning District, which covers the South End and Lower Roxbury, is one of the most densely-populated areas in Boston. Based on future population projections and the guidelines used by Thomas Planning Services, Inc. in the BRA's South End Density Impact Study and Zoning Recommendations, BUG suggests a need for 50-53 acres of public open space by the year 2000, or 10-12 acres more than the 40 acres currently designated as permanent public

open space. The study specifically suggested that a number of BRA-owned parcels be designated as permanent open space. Community residents indicated support for the BUG recommendations at a series of discussion meetings co-sponsored in the South End by the BRA and the Mayor's Office of Neighborhood Services. Based on strong community support, the Trust for Public Land (TPL) is requesting that TPL be granted tentative designation as redeveloper of 14 BRA-owned parcels in the South End.

Creating a local land trust

BRA staff members have met at length with representatives of the TPL and BUG as well as many South End residents to discuss our shared goals for the future of these garden and open space parcels. After tentative designation, TPL is committed to working with BRA staff and local residents to establish a community-based non-profit land trust that will eventually assume ownership, manage and maintain these parcels as public open space. Open space advocates and TPL staff feel the positive step of tentative designation will serve as a show of good faith on the part of the BRA. In turn, TPL will invest the time and energy to establish a local neighborhood-based entity to assume ownership of the parcels. These actions will help ensure success in raising capital improvement and operating funds from foundations and other revenue sources.

TPL has also requested BRA assistance in seeking to amend the existing zoning code to zone these various parcels as "open space" under the code.

TPL has requested a contract with the BRA in the amount of $25,000 (to be paid with BRA project funds in installments over an 18-month period according to the attached "Exhibit A") to fulfill the responsibilities attached to establishing a local land trust and maintaining the open space parcels until the trust is established and ready to assume ownership. TPL will seek additional funds from private sources to supplement the contractual payments sought from the BRA. Funds not expended prior to establishment of the local land trust will be assigned according to contractual terms to the local land trust before conveyance.

Based on TPL's extensive experience in real estate transactions it is therefore recommended that TPL be granted tentative designation as redeveloper of 14 BRA owned parcels in the South End, and further recommended that the BRA provide a grant of $25,000 to be paid in installments over an 18-month period to establish a non-profit neighborhood land trust organization and to maintain the parcels.

Appropriate votes follow:

MF2.17

VOTED: That the Director be authorized to enter into a contract with the Trust for Public Land (TPL) in the amount of $25,000 to be paid using BRA project funds over an 18-month period in installments as described in the attached "Exhibit A," said funds to be used to maintain and make capital improvements to the 14 reuse parcels scattered on eight sites in the South End Urban Renewal Area, Project No. Mass. R-56 and described in the attached resolution, and to establish a locally-based South End Community Land Trust that will assume ownership of the parcels according to terms that will be agreed to before final designation of said parcels;

AND

VOTED: That the following resolution is hereby adopted by the Boston Redevelopment Authority: